

## REMARKS

The outstanding non-final Office Action mailed February 12, 2004 (Part of Paper No. 5) has been carefully considered. In response thereto, please enter the following amendments in which claims 1 and 17 are amended; and claims 65-84 are added. Claims 1-84 are now pending in the present application. Reconsideration and allowance of the application and presently pending claims, as amended, are respectfully requested.

### Response to 35 U.S.C. §102 Rejection

With regard to claims 1 and 17, the Office Action (Paper No. 5) asserts that “the PID disclosed by Wasilewski (5420866) on col. 16, lines 65-68, column 17, lines 1-19 show that the PID represents the entitlement number claimed by the Applicants because the PID is revealed by the decoder and the PID value matches one of those listed in the program definition for the selection program.” (See Pg. 2) Applicants respectfully submit that Applicants’ “entitlement unit number” is not a packet identifier (PID). Those skilled in the art recognize that a PID is used for identifying packets within a stream of packets so that selected packets such as specific entitlement control messages “ECMs” packets can be parsed from the stream. For the sake of clarity, Applicants amended claims 1 and 17 to recite that “each entitlement control message includes a packet identifier (PID) and a payload” and “wherein the at least one authorized entitlement unit number is carried in the payload.” Applicants respectfully submit that Wasilewski does not disclose an entitlement unit number carried in the payload of an ECM, and therefore, Applicants respectfully request that these rejections be withdrawn.

With regard to claims 33 and 49, Applicants respectfully traverse the rejections. The rejection of claim 33 is as follows:

Wasilewski (5,420,866) meets the limitation “a processor having plural control modules, a first control module controlling the processor to receive at least one encrypted entitlement control message corresponding to the selected service” on column 9, lines 37-58; “a secure element having at least one authorized entitlement

unit number stored therein and having plural control modules" on column 12, lines 61-68 and on column 13, lines 1-2; "a second control module controlling the secure element to decrypt each of the at least one encrypted entitlement control message" on column 14, lines 33-44; and "each decrypted entitlement control message revealing at least one first entitlement number associated with the selected service" on column 14, lines 45-58; and "a third control module controlling the secure element to determine that the terminal is authorized to receive the selected service when any first entitlement number of any decrypted entitlement control message represents any number of the at least one authorized entitlement unit number" on column 10, lines 8-28.

and the rejection of claim 49 is as follows:

The limitation is similar to Claim 33 limitation and hence its rejection is similar. The major difference between Claim 33 and 49 is that the ECM is authenticated. This is met by Wasilewski (5,420,966) on column 9, lines 51-58 and column 14, lines 45-65.

Applicants have carefully read the cited reference and cannot find the limitation cited in the Office Action, specifically "a secure element having at least one authorized entitlement unit number stored therein and having full control modules" on column 12, lines 61-68 and on column 13, lines 1-2. Applicants respectfully submit that the cited reference fails to disclose the claimed limitation. Specifically, Applicants respectfully submit that the cited reference fails to disclose a secure element. Therefore, Applicants respectfully request that the rejection of claims 33 and 49 be withdrawn.

Furthermore, Applicants respectfully submit that the rejection of claims 33 and 49 are improper for at least the following reason. Claims 33 and 49 each include the limitation "a secure element having at least one authorized entitlement unit number stored therein..." Therefore, Applicants respectfully request that this rejection be withdrawn.

**Response to 35 U.S.C. §103 Rejection**

Dependent claims 2-16, 18-32, 34-48, and 50-64 are believed to be allowable for at least the reason that these claims depend from allowable independents claim 1, 17, 33 and 49, respectively. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

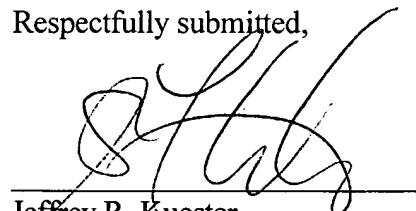
**Prior References Made of Record**

The prior references made of record have been considered, but they are not believed to affect the patentability of the presently pending claims.

**CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-84 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



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